

No. 12048

IN THE

United States Court of Appeals

FOR THE NINTH CIRCUIT

---

JOHN ROSSELLI,

Appellant.

vs.

ROBERT E. CLARK, United States Marshal for the  
Southern District of California,

Appellee.

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**TRANSCRIPT OF RECORD**

Appeal From the District Court of the United States  
for the Southern District of California,  
Central Division

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**FILED**

NOV 1 - 1948

**PAUL P. O'BRIEN,**  
CLERK



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[Clerk's Note: When deemed likely to be of an important nature, errors or doubtful matters appearing in the original certified record are printed literally in italics; and likewise, cancelled matter appearing in the original certified record is printed and cancelled herein accordingly. When possible an omission from the text is indicated by printing in italics the two words between which the omission seems to occur.]

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NAMES AND ADDRESSES OF ATTORNEYS:

For Appellant:

OTTO CHRISTENSEN

FRANK DESIMONE

1212 Spring Arcade Building

541 South Spring Street

Los Angeles 13, Calif.

For Appellee:

JAMES M. CARTER

United States Attorney

NORMAN W. NEUKOM

TOBIAS G. KLINGER

Assistants U. S. Attorney

600 U. S. Post Office and Court House Building

Los Angeles 12, Calif. [1\*]

In the District Court of the United States  
Southern District of California  
Central Division

8483-Y

UNITED STATES OF AMERICA, ex rel., JOHN  
ROSSELLI,

Petitioners,

vs.

ROBERT E. CLARK, Marshal,

Respondent.

PETITION FOR WRIT OF HABEAS CORPUS

To the Honorable Peirson M. Hall, District Judge:

The petitioner, John Rosselli, by Frank Desimone, his next friend, and at said John Rosselli's request, presents this his petition for Writ of Habeas Corpus and shows unto the Court:

I.

That the petitioner is a citizen and resident of the City of Los Angeles, County of Los Angeles and of the State of California, Southern District of California, Central Division, and of the United States of America.

II.

That the petitioner is being restrained illegally by colour of the authority of the United States and in the custody of Robert E. Clark, United States Marshal, in the Southern District of California; that is to say that said petitioner is being illegally restrained by virtue of a purported warrant asserting that reliable information exists that the petitioner has violated parole granted him on a sentence and judgment imposed against him [2]



by the United States District Court, Southern District of New York.

### III.

That the indictment upon which he was convicted in said District Court of New York and upon which sentence was imposed and subsequently parole was granted consisted of one count and charges that your petitioner conspired with Bioff, Browne, others, and persons unknown to violate Section 420, 18 U. S. C. A.

### IV.

The petitioner was sentenced to serve ten years in the penitentiary and to pay a fine. The fine was paid. The judgment was affirmed by the *District* Court and certiorari denied by the Supreme Court. After the petitioner served one-third of the sentence imposed, parole was granted. That at the time said petitioner was paroled he was incarcerated in the United States penitentiary at Terre Haute, Indiana.

### V.

The petitioner by and through his next friend, Frank Desimone, alleges on his information and belief that the petitioner John Rosselli forthwith upon his release from Terre Haute Penitentiary proceeded to the City of Los Angeles; that the said John Rosselli had assigned to him as his parole officer to whom he would be accountable to and to whom he would make his reports and under whose supervision and direction and instructions he would be subjected to was Cal Meador; that the said John Rosselli has continuously since his release from the penitentiary resided and lived in the City of Los Angeles; that he has faithfully and fully complied with each and every condition of his parole; that he has fully and completely obeyed

all of the directions and instructions of his parole officer, Cal Meador; that he has in no degree and in no particulars violated any of the conditions of his parole; that immediately upon his return to Los Angeles he engaged in gainful [3] employment with the Eagle Lion Studios of Los Angeles as Assistant Purchasing Agent at a salary of \$50.00 a week; that he was so employed as Assistant Purchasing Agent at said Studios for a period of approximately six months, and thereafter, until on or about the middle of June, 1948, he was an assistant to Robert T. Kane of Robert T. Kane Productions, Inc. in the production of the picture, "Canon City" and of "29 Clues" at a salary of \$150.00 a week and an 14/64 interest of 50% in said pictures. That the picture "Canon City" has now been released and is being shown currently in the theatres of the country, and the picture "29 Clues" has been completed subject to some slight revisional retakes; that it is expected that said picture will be released in the late summer or early fall of this year; that for a period of two weeks in June the petitioner was not employed, and on July 1 was employed by Bryan Foy, formerly production head of Eagle Lion Studios, and now under contract to produce four pictures a year at said studios; that the said petitioner, John Rosselli, as such assistant to Bryan Foy is receiving a salary from said Bryan Foy of \$100.00 a week; that said John Rosselli has been on parole for approximately one year; that his parole officer, Cal Meador, at no time has admonished or advised said John Rosselli that he was in violation of his parole; that said Cal Meador has not advised nor informed the parole board of the United States, or the Attorney General, that the said John Rosselli was or is in violation of any conditions of his parole, nor has he recommended revocation thereof.

## VI.

The petitioner is informed and believes and therefore alleges that under the rules and regulations governing the procedure of the United States Board of Paroles that warrants of arrest for alleged violations of parole may and can only be issued upon "reliable" information received from and furnished by the supervising parole officer of the area responsible for the supervision of the parolee; [4] that no cause or legal reason exists for the issuance of a warrant of arrest of said John Rosselli with the violation of his parole; that said warrant has been issued without any information of violation or alleged violation of his parole; that said warrant of arrest was issued arbitrarily and capriciously and without any cause, ground or reason.

## VII.

The petitioner by and through his next friend, Frank Desimone, on his information and belief, alleges that since the parole of said John Rosselli a committee of Congress conducted an investigation; that said legislative committee searched for evidence of corruption and undue influence on the matter of the granting of parole to certain other defendants convicted. No such evidence was obtained, but the hearings were made use of in an apparent effort to discredit the Democratic Administration and the Parole Board and the Attorney General in particular; that parole officers were questioned for the purpose of demonstrating that parole should not have been granted and every effort was made by the Chairman of the Congressional Committee to compel the members of the Parole Board to revoke the paroles. The personnel of the Parole Board has been changed because of death and resignation since the paroles were granted, and new

members have been furnished a transcript of the hearings and the Committee has demanded revocation; that members of the Parole Board have testified before the Congressional Committee that action will be taken on the paroles of said parolees; said parolees have requested a hearing before any such action, but such a hearing has been refused.

### VIII.

The petitioner by and through his next friend, Frank Desimone, is informed and believes and therefore alleges the fact to be that said petitioner has repeatedly and constantly sought [5] the advice and approval of his said supervising parole officer regarding his business and social life and has acted only in accordance with the approval had and obtained from said parole officer; that the said John Rosselli sought the advice of his parole officer as to whether or not he was obliged to register as a felon in the communities in which he resided or visited whose laws required such registration and was advised that he did not have to so register while on parole for the reason that he was a ward of the United States Government; that the said John Rosselli socially and in business and otherwise associated only with persons of the highest integrity and honesty and never associated even secretly and covertly with persons of bad repute or who had been convicted of crime; that said John Rosselli reported truthfully and honestly all of his business activities, income and expenditures; that all of the persons with whom he lived with, met and associated with daily during the period of his parole and which in number constitutes many all reside and live in the Southern District of California and are available here as witnesses under the process of the Court to establish that the warrant issued

by the Parole Board was arbitrary and capricious and without cause, ground or reason, whereas none of said persons would be available by process to appear before the Parole Board, even though the petitioner could meet such expense, which he cannot, out of the meager savings accumulated by him.

### IX.

As the next friend of the petitioner, John Rosselli, Frank Desimone states that he has had occasion many times to discuss with the said John Rosselli the facts and circumstances concerning the charge in the indictment. The said John Rosselli has at all times asserted and maintained that he was not guilty of said offense; further, that the said John Rosselli has stated and it so appears in the transcript of testimony of trial uncontra- [6] dicted that throughout the period of time involved in said indictment said John Rosselli resided in the State of California and was employed in the capacity of a labor agent by Pat Casey, Chairman of the Motion Picture Producers Labor Relations Association; that said John Rosselli was not associated in any manner with any of the other defendants; and that as said labor agent for the said Pat Casey he through the years bitterly opposed, and denounced Bioff and Browne, the national representatives of the IATSE, with whom it was alleged in said indictment the defendants conspired to extort money from the motion picture industry, to a point that Bioff threatened his life.

### X.

The petitioner by and through his next friend, Frank Desimone, is informed and believes and therefore alleges the fact to be that the United States Marshal proposes forthwith to remove the petitioner, John Rosselli, from the jurisdiction of the Court.

Wherefore: the petitioner prays that a Writ of Habeas Corpus may be directed to the said United States Marshal, Robert E. Clark, and to each and all his deputies to bring in and to have the petitioner before this Court and at a time to be by this Court determined, together with the true cause of the detention of the petitioner, to the end that due inquiry may be had in the premises, or in the alternative to issue its order directed to the United States Marshal and his deputies aforesaid to be and appear before this Court and at a time to be by this Court determined to show cause why said Writ of Habeas Corpus prayed for should not issue, and that this Court in the event that it elects in the alternative to issue its order to show cause that the said United States Marshal and each and all of his deputies be directed and restrained from removing said petitioner from the jurisdiction of this Court pending the determination of the proceedings herein; and that this Court may proceed in the summary way to determine [7] the facts of this case in that regard and the legality of the petitioner's impairment, restraint, and detention, and thereupon to dispose of your petitioner as law and justice may require.

JOHN ROSSELLI

By Frank Desimone  
His Next Friend

FRANK DESIMONE and OTTO CHRISTENSEN

Attorneys [8]

[Verified by John Rosselli.] [9]

[Verified by Frank Desimone.]

[Endorsed]: Filed Jul. 27, 1948. Edmund L. Smith,  
Clerk. [10]

[Title of District Court and Cause]

ORDER TO SHOW CAUSE

To the Above Named Robert E. Clark, United States  
Marshal, and to His Agents and Deputies:

Upon reading the Complaint and Petition for Writ of Habeas Corpus, It Is Hereby Ordered that Robert E. Clark, United States Marshal for the Southern District of California, Central Division, and each and all of his Judge Ben Harrison of [P.J.M., J.] deputies, be and appear before ~~the~~ the above entitled Court on the 2nd day of August, 1948 at the hour of 2 P. M. and to have the body of John Rosselli by you imprisoned at said time and place, then and there to show cause, if any you have, why the Writ of Habeas Corpus prayed for should not issue; and you are hereby enjoined and restrained from removing said petitioner, John Rosselli, from the jurisdiction of this Court until the final determination of the proceedings before this Court.

Dated: July 27, 1948, at 11 A. M.

PAUL J. McCORMICK

Judge of the District Court

[Endorsed]: Filed Jul. 27, 1948. Edmund L. Smith,  
Clerk. [11]

[Title of District Court and Cause]

RETURN TO ORDER TO SHOW CAUSE

I, Robert E. Clark, United States Marshal for the Southern District of California, respondent herein, on behalf of myself and each and all of my deputies, respectfully make the following return to this Honorable Court to the order to show cause issued pursuant to the petition for writ of habeas corpus in the above case:

I.

That John Rosselli, hereinafter referred to as the petitioner, is not being illegally restrained by me of his liberty, but is in my custody under proper and lawful authority.

(a) That petitioner was taken into custody on July 27, 1948, at Los Angeles, California, within the Southern District of California, Central Division, under authority of a warrant duly issued by Fred S. Rogers, Member, United States Board of Parole, directing petitioner's arrest. That there is [12] attached hereto, as a part of this return and marked Exhibit "A," a photostatic copy of the said warrant; that the original of said warrant will be made available at such time and place as this Honorable Court shall direct.

(b) That said warrant was received in, and together with, a letter dated July 21, 1948, addressed to your respondent, and signed by Frank Loveland, Acting Director, Bureau of Prisons, by direction of the Attorney General; that a photostatic copy of said letter is attached hereto, as a part of this return, and marked Exhibit "B." That likewise accompanying said warrant and said letter last referred to, and enclosed therewith, was a document, a



photostatic copy of which, marked Exhibit "C," is attached hereto as a part of this return. That the originals of said Exhibit "B" and Exhibit "C" will be made available at such time and place as this Honorable Court shall direct.

II.

That the petition for writ of habeas corpus herein fails to state a claim or cause of action upon which relief may be granted:

(a) That this Honorable Court is without jurisdiction to inquire into and to review the action of a Member of the United States Board of Parole, in issuing a parole violator's warrant pursuant to Section 717 of Title 18, United States Code.

(b) That this Honorable Court is without jurisdiction to inquire of and into the custody of the petitioner held under a parole violator's warrant, regular on its face, until after the United States Board of Parole has held a hearing in accordance with the provisions of Section 719 of Title 18, United States Code.

(c) That the petition for writ of habeas corpus herein seeks to review the original judgment of conviction of petitioner as by appeal.

(d) That the petition for writ of habeas corpus herein seeks to attack, collaterally, the original judgment of conviction entered against the petitioner and others by the United States District Court for the Southern District of New York. [13]

Wherefore, the respondent, Robert E. Clark, United States Marshal for the Southern District of California, having made due and full return to the order to show cause heretofore issued herein, pursuant to the petition

for writ of habeas corpus, respectfully prays that the petition for writ of habeas corpus be dismissed and that the petitioner, John Rosselli, be remanded to respondent's custody, to be dealt with according to the laws of the United States of America.

ROBERT E. CLARK  
United States Marshal

[Verified.] [14]

EXHIBIT "A"

Parole Form No. 20  
(March 1937)

[Stamped]: Marshal's Criminal Docket No. 65004,  
Vol. 128, page 74.

DEPARTMENT OF JUSTICE  
(Original) Washington, D. C.  
[Crest]

WARRANT

The United States Board of Parole

To Any Federal Officer Authorized to Serve Criminal  
Process Within the United States:

Whereas, John Roselli, No. 4305-TH, was sentenced by the United States District Court for the Southern District of New York to serve a sentence of ten years, ..... months, and ..... days for the crime of Violation of Anti-Racketeering Act, Title 18, Section 420-A, U. S. Code, and was on the thirteenth day of August, 1947, released on parole from the United States Penitentiary, Terre Haute, Indiana

And, Whereas, reliable information having been presented to the undersigned Member of this Board that said paroled prisoner named in this warrant has violated the conditions of his parole, and the said paroled prisoner is hereby declared to be a fugitive from justice;

Now, Therefore, this is to command you to execute this warrant by taking the said John Roselli, wherever found in the United States, and him safely return to the institution hereinafter designated.

Witness my hand and the seal of this Board this 21st day of July, 1948.

(Seal)

Fred L. Rogers

Member, U. S. Board of Parole. [15]

Warrant for Return of Paroled Prisoner .....  
No. .... (Institution)

United States Marshal's Return to United States Board of Parole, Sou. District of Calif., ss:

Received this writ the 23 day of July, 1948, and executed same by arresting the within-named John Roselli this 27 day of July, 1948 at Federal Bldg., Los Angeles, and Committing him to G. V. Rossini. ....  
U. S. Marshal. By ....., Deputy Marshal.

Note.—This original warrant to be returned to U. S. Board of Parole, Washington, D. C. [16]

## EXHIBIT "B"

UNITED STATES DEPARTMENT OF JUSTICE  
 BUREAU OF PRISONS  
 Washington 25

July 21, 1948

Mr. Robert E. Clark  
 United States Marshal  
 Los Angeles, California

Dear Marshal Clark:

The United States Penitentiary, McNeil Island, Washington, is designated as the place of confinement for John Roselli, No. 4305-TH, parole violator.

Sincerely yours,

By direction of the Attorney General  
 Frank Loveland

FRANK LOVELAND

Acting Director, Bureau of Prisons. [17]

## EXHIBIT "C"

DEPARTMENT OF JUSTICE  
 UNITED STATES BOARD OF PAROLE  
 Washington

U. S. Marshal,  
 Los Angeles, California

Air Mail

Date July 21, 1948

Case of John Roselli,

No. 4305-TH

Warrant issued July 21, 1948\*

Dear Sir:

Enclosed is copy of Referral for Consideration of Alleged Violation, and warrant in duplicate, issued by the United States Board of Parole for the above-named prisoner.

1. If the prisoner is facing a local charge, in jail or on bond, place your detainer and notify this office. If he has been sentenced to a State institution, place your detainer and notify this office.

2. If he is held on a new Federal charge, place your detainer, and notify this office before execution of the warrant. If he is sentenced on the new Federal charge, return this warrant unexecuted.

3. If the prisoner is now a fugitive, but later located, the same procedure outline above should be applied.

4. If the prisoner is not wanted on a current charge, and is not in custody or on bond, the warrant should be executed immediately.

Very truly yours,

Walter K. Urich

Parole Executive.

Copy to:

Mr. C. H. Meador  
Chief United States Probation Officer  
Post Office Building  
Los Angeles 12, California

---

\*Probation officer: Please drop from records as of this date. (State known persons and places which will aid in apprehension.)

Note.—When prisoner is returned to the designated institution, leave Referral and one warrant with warden. Make your return on the other warrant to the Board of Parole, Washington, D. C.

[Endorsed]: Filed Jul. 27, 1948. Edmund L. Smith, Clerk. [18]

In the District Court of the United States in and for the  
Southern District of California  
Central Division

No. 8483-Y Civil

UNITED STATES OF AMERICA, ex rel, JOHN  
ROSSELLI,

Petitioner,

vs.

ROBERT E. CLARK, Marshal,

Respondent.

ORDER DISMISSING PETITION FOR WRIT OF  
HABEAS CORPUS AND DENYING MOTION  
TO PRODUCE

This cause came on regularly for hearing in the above entitled court on August 2, 1948, August 20, 1948, and September 7, 1948, before Honorable David C. Ling, Judge Presiding, on the Order to Show Cause issued pursuant to the Petition for Writ of Habeas Corpus of John Rosselli, petitioner herein, and the Motion to Produce filed by said petitioner, and on the Return to said Order to Show Cause by Robert E. Clark, United States Marshal for the Southern District of California, respondent herein, praying that said Petition for Writ of Habeas Corpus be dismissed for failure to state a claim or cause of action upon which relief may be granted and that the petitioner be remanded to respondent's custody to be dealt with according to the laws of the United States of

America. Petitioner was personally present and represented by Otto Christensen, Esq. and Frank Desimone, Esq., his attorneys. Respondent was represented by James M. Carter, United States Attorney, by Norman W. Neukom, Assistant United [19] States Attorney, and Tobias G. Klinger, Assistant United States Attorney. The Court having heard the arguments of counsel, and briefs having been submitted on behalf of both petitioner and respondent, and upon due consideration thereof, the Court being fully advised in the premises,

It Is Ordered, Adjudged and Decreed that the Order to Show Cause herein be, and the same is, hereby discharged and the Petition for Writ of Habeas Corpus herein be, and the same is, hereby dismissed;

It Is Further Ordered, Adjudged and Decreed that the Motion to Produce filed by the petitioner herein be, and the same is, hereby denied.

Dated: This 8 day of September, 1948.

DAVID C. LING

United States District Judge

Exception allowed. D. C. L.

Approved as to form: Otto Christensen.

Judgment entered Sep. 8, 1948. Docketed Sep. 8, 1948. Book 52, page 635. Edmund L. Smith, Clerk; by L. B. Figg, Deputy.

[Endorsed]: Filed Sep. 8, 1948. Edmund L. Smith, Clerk. [20]

[Title of District Court and Cause]

ORDER

On reading of the Motion of the Appellant, John Rosselli, for an Order pursuant to Rule 29(1) of the Rules of Civil Procedure of the United States Circuit Court of Appeals for the Ninth Circuit, and his Notice of Appeal,

It Is Ordered that the custody of the petitioner, John Rosselli, shall not be disturbed and that he be retained by the respondent in the jurisdiction of this Court until the final determination of the appeal herein.

Dated: September 8, 1948.

DAVID C. LING

Judge

Approved as to form: T. G. Klinger, Asst. U. S. Atty.

[Endorsed]: Filed Sep. 8, 1948. Edmund L. Smith,  
Clerk. [21]



[Title of District Court and Cause]

NOTICE OF APPEAL

Name of Appellant: John Rosselli, residing at 3900 Ingraham Street, Los Angeles, California.

Attorneys for Appellant: Otto Christensen and Frank Desimone, 541 South Spring Street, Los Angeles, California.

Judgment: Discharging order to show cause why writ of habeas corpus should not issue and dismissing Appellant's Petition for the writ of habeas corpus; said judgment was entered on Sept. 8th, 1948. Defendant is in the custody of the United States Marshal of said District.

I, the above named Appellant, hereby appeal to the United States Circuit Court of Appeals, Ninth Circuit, from the judgment above mentioned on the grounds set forth below.

Dated: Sept. 8, 1948.

JOHN ROSSELLI [22]

GROUND'S OF APPEAL

\* \* \* \* \*

OTTO CHRISTENSEN and  
FRANK DESIMONE

By Frank Desimone

Received copy of within Notice of Appeal Sept. 8, 1948.  
T. G. Klinger, Asst. U. S. Atty.

[Endorsed]: Filed Sep. 8, 1948. Edmund L. Smith,  
Clerk. [24]

[Title of District Court and Cause]

CERTIFICATE OF CLERK

I, Edmund L. Smith, Clerk of the District Court of the United States for the Southern District of California, do hereby certify that the foregoing pages numbered from 1 to 25, inclusive, contain full, true and correct copies of Petition for Writ of Habeas Corpus; Order to Show Cause; Return to Order to Show Cause; Order Dismissing Petition for Writ of Habeas Corpus and Denying Motion to Produce; Order re Custody; Notice of Appeal and Praeceptum which constitute the record on appeal to the United States Court of Appeals for the Ninth Circuit.

I further certify that my fees for preparing, comparing, correcting and certifying the foregoing record amount to \$7.25 which sum has been paid to me by appellant.

Witness my hand and the seal of said District Court this 23 day of September, A. D. 1948.

(Seal)

EDMUND L. SMITH

Clerk

By Theodore Hocke

Chief Deputy

---

[Endorsed]: No. 12048. United States Court of Appeals for the Ninth Circuit. John Rosselli, Appellant, vs. Robert E. Clark, United States Marshal for the Southern District of California, Appellee. Transcript of Record. Appeal from the District Court of the United States for the Southern District of California, Central Division.

Filed September 25, 1948.

PAUL P. O'BRIEN

Clerk of the United States Court of Appeals for the Ninth Circuit.

In the United States Court of Appeals for the  
Ninth Circuit

No. 12048

UNITED STATES OF AMERICA, ex rel., JOHN  
ROSSELLI,

Petitioner,

vs.

ROBERT E. CLARK, United States Marshal,

Respondent.

POINTS ON WHICH APPELLANT INTENDS TO  
RELY ON THE APPEAL.

1. That the Honorable Court erred in discharging the order to show cause why a writ of habeas corpus should not issue upon the grounds, among other grounds: (a) that the Answer of the Respondent was limited to the proposition that the Court was without jurisdiction to issue a writ of habeas corpus where the United States Parole Board had issued its warrant for the arrest of the Appellant wherein it was asserted that the member of the Board of Paroles signing said warrant had reliable information that the Appellant had violated the conditions and terms of his parole; (b) that the Court erred in discharging said order to show cause because said Court did have jurisdiction to issue a writ of habeas corpus to determine the issue set forth in Appellant's Petition for Writ of Habeas Corpus; that the warrant of arrest under which he was being held in the custody of the United States Marshal was issued in violation of the statutes requiring that such warrants of arrest could only be issued upon reliable information of the violation of the terms and conditions of parole, and that said warrant of arrest was issued without any reliable information of a or any of the terms and conditions of violation.

2. The Honorable Trial Court erred in not holding that your Appellant, John Rosselli, is wrongfully held and illegally imprisoned, and in dismissing his Petition and remanding him into the custody of Robert E. Clark, United States Marshal, for detention upon a warrant of arrest issued by Fred Rogers, member of the United States Parole Board.

3. The Honorable Trial Court erred in dismissing the Petition for Writ of Habeas Corpus of Appellant and in remanding him into the custody of Robert E. Clark, United States Marshal, on the ground that said err being that: (a) The United States District Court had jurisdiction to issue the writ of habeas corpus herein; (b) That said writ of habeas corpus should have issued as prayed for upon the ground that the warrant of arrest under which Appellant was being detained was issued by the said Fred Rogers, member of the United States Parole Board, without compliance with the Statutes in such case made and provided for, and in the absence of any reliable information for the issuance thereof.

4. The Honorable Trial Court erred in refusing to issue the writ of habeas corpus as prayed for.

Designation of the Parts of the Record Necessary for the Consideration of Points on Appeal:

Print the entire transcript of record.

OTTO CHRISTENSEN and  
FRANK DESIMONE

By Frank Desimone

Received copy of the within Points on Appeal this 22 day of September, 1948. James M. Carter, by Veloris Bonhus.

[Endorsed]: Filed Sep. 25, 1948. Paul P. O'Brien, Clerk.